

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : Re. 38,787  
Patentees : Joseph B. SAINTON et al.  
Issued : August 30, 2005  
Serial No. : 09/392,676  
Filed : September 8, 1999

Docket No. : 740301-411 (2972-104)  
Customer No. : 06449  
For : APPARATUS AND METHODS FOR  
: NETWORKING OMNI-MODAL RADIO DEVICES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**REQUEST FOR REFUND**

This is a request for a refund in the amount of \$4,240.00 which was incorrectly charged to our Deposit Account No. 02-2135 in connection with the above-identified patent for a maintenance fee and surcharge.

On December 10, 2010 we filed a Request for Reconsideration of the Decision Dismissing the Petition Under Rules 1.181(b) and 1.377 Requesting the Office to Accept Payment of a Third Maintenance Fee and a Maintenance Fee Transmittal Form in connection with Patent No. RE 38,787.

The amount of \$4,240.00 was charged to our Deposit Account in connection with Patent No. RE 40,540, for which there were no fees due as the maintenance fee and surcharge were previously paid on June 1, 2010 (see attached copy of the Maintenance Fee Statement).

Accordingly, please credit our account in the aforementioned amount.

Respectfully submitted,

By



---

Brian Rosenbloom  
Attorney for Applicant  
Registration No. 41,276  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 800, 1425 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202)783-6040

1822559

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Customer No 6449

ISTMT

DATE PRINTED  
01/26/2011

ROTHWELL, FIGG, ERNST & MANBECK, P.C.  
1425 K STREET, N.W.  
SUITE 800  
WASHINGTON DC 20005

## **MAINTENANCE FEE STATEMENT**

According to the records of the U.S. Patent and Trademark Office (USPTO), the maintenance fee and any necessary surcharge have been timely paid for the patent listed below. The "PYMT DATE" column indicates the payment date (i.e., the date the payment was filed).

The payment shown below is subject to actual collection. If the payment is refused or charged back by a financial institution, the payment will be void and the maintenance fee and any necessary surcharge unpaid.

Direct any questions about this statement to: Mail Stop M Correspondence, Director of the USPTO, P.O.Box 1450, Alexandria, VA 22313-1450.

| PATENT<br>NUMBER | FEE AMT    | SUR<br>CHARGE | PYMT<br>DATE | U.S.<br>APPLICATION<br>NUMBER | PATENT<br>ISSUE<br>DATE | APPL.<br>FILING<br>DATE | PAYMENT<br>YEAR | SMALL<br>ENTITY? | ATTY DKT<br>NUMBER |
|------------------|------------|---------------|--------------|-------------------------------|-------------------------|-------------------------|-----------------|------------------|--------------------|
| RE40,540         | \$4,110.00 | \$130.00      | 06/01/10     | 10/737,670                    | 06/02/98                | 09/06/96                | 12              | NO               | 2972-103           |